

# City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

**REGULAR CITY COUNCIL MEETING**  
**WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS**  
**221 STILLWATER, WIMBERLEY, TEXAS**  
**THURSDAY, MARCH 1, 2018 – 6:00 P.M.**

## **MINUTES**

### **CALL TO ORDER**

Mayor Mac McCullough called the meeting to order at 6:00 p.m.

### **CALL OF ROLL**

Council Members Present: Mac McCullough      Mayor  
Steve Thurber      Place One  
Craig Fore      Place Two  
Allison Davis      Place Three  
Gary Barchfeld      Place Four  
Roberta Holland      Place Five

### **INVOCATION**

Chapel of the Hills Pastor Jim Denham gave the invocation.

### **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**

Mayor Mac McCullough led the pledges to the United States and Texas flags.

### **CITIZENS COMMUNICATIONS**

There were no citizen communications at this time.

### **PRESENTATION**

Wimberley ISD Superintendent Dwain York gave a presentation regarding the May 5, 2018 Bond Election for the school district.

### **EXECUTIVE SESSION**

City Council adjourned into Executive Session at 6:27 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D for the following purposes:

- A. Section 551.071 of the Texas Government Code for Consultation with Attorney to receive legal advice about litigation in Case No. 16-2419; Risoli v. City of Wimberley and Wimberley Board of Adjustment; 207<sup>th</sup> District Court, Hays County, Texas.
- B. Section 551.071 of the Texas Government Code for Consultation with Attorney to receive legal advice about litigation in Case No. 13-0895-C; Creekhaven, LLC, and William D. Appleman v. City of Wimberley Board of Adjustment.

Regular Session reconvened at 6:46 p.m.  
No action was taken.

### **CONSENT AGENDA**

Council Member Gary Barchfeld had a correction to the February 15, 2018 meeting minutes, pertaining to his request for posting pre-construction meetings for the Wastewater Project.

**Motion to approve the consent agenda, with Council Member Barchfeld's correction, was made by Council Member Steve Thurber. Motion was seconded by Council Member Allison Davis. Motion carried unanimously (5-0).**

- A. Approval of minutes from the Special Called City Council Meeting held February 9, 2018.
- B. Approval of minutes from the Regular City Council Meeting held February 15, 2018.

### **CITY ADMINISTRATOR REPORT**

City Administrator Shawn Cox updated Council regarding the status of the Wimberley Wastewater Project. A kickoff meeting for the plant portion of the Project had been scheduled for March 8<sup>th</sup> at 5:00 p.m. at the Wimberley Community Center. Additionally, contracts and performance bonds for the collection and plant portions of the Wastewater Project had been signed by all parties. Black Castle had been issued a notice to proceed and would begin work on the plant on March 12<sup>th</sup>.

### **DISCUSSION AND POSSIBLE ACTION**

- A. Discuss and consider possible action approving the proposed route for the 2018 Wimberley Fourth of July Parade. *(City Administrator Shawn Cox)*

**Motion to approve the proposed route for the 2018 Wimberley Fourth of July Parade was made by Council Member Steve Thurber. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (5-0).**

- B. Discuss and consider possible action regarding cost saving measures for the plant portion of the Wimberley Wastewater Project. *(Place Two Council member Craig Fore)*

Mayor Mac McCullough opened the public hearing at 6:54 p.m.

There were two citizen's comments. First, Casey Craig addressed Council regarding potential issues with the wastewater treatment plant, set to be placed at Blue Hole Regional Park. Ms. Craig stated she was in favor of having a wastewater pond in the Park, instead of the plant, and noted perks of having a pond. Second, Edward Davis also spoke in favor of having a wastewater pond in the Park.

Mayor Mac McCullough closed the public hearing at 6:58 p.m.

Council Member Craig Fore presented reasons for having a pond in Blue Hole Regional Park in opposition to the plant, which included cost savings, environmentally friendly and aesthetically pleasing. The Black Castle contract, which allows construction of the wastewater treatment plant, would require a change order if the pond idea moved forward. There was discussion among Council members regarding the pond. Council Member Allison Davis outlined her concerns with the pond,

including the placement, potential protests from residents, maintenance and an overall lack of documentation for the idea. Council Member Roberta Holland also voiced apprehension to the pond by noting liability and fencing concerns. Council Member Steve Thurber liked the idea but stated it would take effort to implement properly. Council Member Craig Fore requested to have a meeting with the Texas Commission on Environmental Quality to further explore the option of having a pond. Council voiced their support for Mr. Fore to pursue the venture within the coming weeks. No formal action was taken.

C. Discuss and consider possible action regarding all future sewer construction meetings posted for public observation. *(Place Four Council member Gary Barchfeld)*

Council Member Gary Barchfeld voiced concern regarding the pre-construction meeting held at City Hall on February 26<sup>th</sup>. He had requested at a previous City Council meeting that the meeting be posted by public notice, in order for the citizenry to observe. Mr. Barchfeld believed having a public meeting would have promoted transparency on the City's behalf. City Administrator Shawn Cox responded that pre-construction meetings are usually attended by a small number of individuals to discuss project details. Furthermore, Mr. Cox stated the kickoff meeting on March 8<sup>th</sup> would allow for citizen observation and input. There was discussion among Council regarding the Open Meetings Act. No formal action was taken.

**HOTEL OCCUPANCY TAX**

A. Consider approval of the second and final reading of Ordinance No. 2018-02 to increase the tax rate to be imposed on hotel occupancy within the corporate limits and the extraterritorial jurisdiction of the City from zero percent (0%) to five percent (5%), effective June 1, 2018. *(Place One Council member Steve Thurber)*

**Motion to approve the second and final reading of Ordinance No. 2018-02 to increase the tax rate to be imposed on hotel occupancy within the corporate limits and the extraterritorial jurisdiction of the City from zero percent (0%) to five percent (5%), effective June 1, 2018 was made by Council Member Allison Davis. Motion was seconded by Council Member Roberta Holland. Motion carried as follows (3-2):**

<b>Steve Thurber</b>	<b>Aye</b>
<b>Allison Davis</b>	<b>Aye</b>
<b>Roberta Holland</b>	<b>Aye</b>
<b>Craig Fore</b>	<b>Nay</b>
<b>Gary Barchfeld</b>	<b>Nay</b>

B. Discuss and consider possible action regarding the revised Wimberley Hotel Occupancy Tax (HOT) Application. *(City Administrator Shawn Cox)*  
City Administrator Shawn Cox presented the revised Wimberley Hotel Occupancy Tax (HOT) Application for Council's consideration and approval. Hotel Occupancy Tax Advisory Committee Chairperson Bob Cook addressed Council regarding changes made to the application from the previous version and updated Council on

future HOT Advisory Committee meeting dates. City Council members had no significant changes or suggestions to the application.

**Motion to approve the revised Wimberley Hotel Occupancy Tax (HOT) Application was made by Council Member Steve Thurber. Motion was seconded by Council Member Roberta Holland. Motion carried unanimously (5-0).**

**CITY COUNCIL REPORTS**

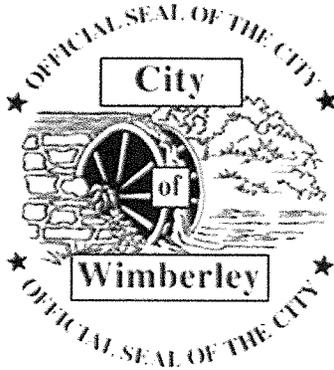
- A. Announcements – Council Member Allison Davis announced the Blue Hole Star Party to be held at Blue Hole Regional Park on Saturday, March 10, 2018, at 6:00 p.m.
  
- B. Future agenda items – Mayor Mac McCullough requested campaign signs at the Wimberley Community Center be an item on the next City Council agenda.

**ADJOURNMENT**

Mayor Mac McCullough adjourned the meeting at 7:49 p.m., without objection.

**RECORDED BY:**

Laura J. Calcote  
Laura J. Calcote, City Secretary



**APPROVED BY:**

Herschel P. "Mac" McCullough  
Herschel P. "Mac" McCullough,  
Mayor